

1 PUBLIC PROTECTION CABINET

2 KENTUCKY HORSE RACING COMMISSION

3 (Amendment)

4 810 KAR 1:009. Jockeys and apprentices.

5 RELATES TO: KRS 230.215

6 STATUTORY AUTHORITY: KRS 230.215(2), 230.260

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2) authorizes the commission to
8 promulgate administrative regulations prescribing conditions under which all horse racing is
9 conducted. KRS 230.260 authorizes the commission to promulgate administrative regulations
10 that regulate conditions under which thoroughbred racing shall be conducted in Kentucky and
11 to establish safety standards and minimum fees for jockeys. This administrative regulation
12 establishes the requirements for jockeys and apprentice jockeys.

13 Section 1. Probationary Mounts. Any person desiring to participate in this state as a
14 jockey, who has not ridden in a race previously, may ride in three (3) races before applying for a
15 license as a jockey or apprentice jockey if:

16 (1) The person is a licensed stable employee, assistant trainer, or trainer with at least one
17 (1) year of service with a racing stable;

18 (2) A licensed trainer certifies in writing to the stewards that the person has demonstrated
19 sufficient horsemanship, as evidenced by his control of the animal while mounting, riding, and
20 dismounting in race and nonrace conditions, to be permitted the probationary mounts;

(3) The starter has schooled the person in breaking from the starting gate with other horses and approves the person as capable of starting a horse properly from the starting gate in a race;

(4) The stewards determine that the person:

(a) Intends to become a licensed jockey;

(b) Possesses the physical ability to be a jockey; and

(c) Has demonstrated his ability to ride in a race without jeopardizing the safety of horses or other jockeys in the race; and

(5) The person has prior oral or written approval of the stewards.

Section 2. Qualifications for License. In addition to the requirements applicable to licensees under 810 KAR 1:025, a holder of a license as a jockey or apprentice jockey:

(1) Shall be sixteen (16) years of age or older and licensed under his legal name which shall be listed in the daily race program;

(2) Shall have served at least one (1) year with a racing stable;

(3) Shall have ridden in at least three (3) races; and

(4) Shall, if required by the stewards, to protect the health and safety of the jockey, other jockeys, the horses, and the welfare of the betting public, provide a medical affidavit certifying the person is physically and mentally capable of performing the activities and duties of a licensed jockey.

Section 3. Amateur or Provisional Jockey. (1) An amateur wishing to ride in races on even terms with professional riders, but without accepting fees or gratuities therefore, shall:

1 (a) Be approved by the stewards as to competency of horsemanship, as demonstrated by
2 meeting the requirements in Section 1(2), (3), and (4)(b) and (c) of this administrative
3 regulation;

4 (b) Be granted an amateur jockey's license; and

5 (c) Have his amateur status duly noted on the daily race program.

6 (2) A licensed owner or licensed trainer, upon approval by the stewards, may be issued a
7 provisional jockey's license to ride his own horse or horse registered in his care as trainer.

8 Section 4. Apprentice Allowance. (1) Any person sixteen (16) years of age or older, who
9 has not been licensed previously as a jockey in any jurisdiction, and who is qualified under
10 Section 2 of this administrative regulation, may claim in all purse races except handicaps the
11 following weight allowances:

12 (a) Ten (10) pounds until he has ridden five (5) winners;

13 (b) Seven (7) pounds until he has ridden an additional thirty-five (35) winners;

14 (c) If he has ridden a total of forty (40) winners prior to the end of one (1) year from the
15 date of riding his fifth winner, he shall have an allowance of five (5) pounds until the end of that
16 year; and

17 (d) If after one (1) year from the date of the fifth winner, the apprentice jockey has not
18 ridden forty (40) winners, the applicable weight allowance shall continue for one (1) additional
19 year, or until the 40th winning mount, whichever occurs first.

20 (2)(a) After the completion of conditions in subsection (1) of this section, a contracted
21 apprentice may claim three (3) pounds for one (1) year if riding horses owned or trained by his
22 original contract employer if his contract has not been transferred or sold since his first winner.

1 (b) The original contract employer shall be the party to the contract who was the
2 employer at the time of the apprentice jockey's first winner.

3 (c) Apprentice allowance shall not be claimed for a period in excess of two (2) years from
4 the date of the rider's fifth winner unless an extension has been granted in accordance with
5 subsection (4) of this section.

6 (3) An apprentice jockey may enter into a contract with a licensed owner or licensed
7 trainer qualified under Section 5 of this administrative regulation for a period not to exceed five
8 (5) years.

9 (a) These contracts shall be:

- 10 1. Approved by the stewards;
- 11 2. Filed with the commission; and
- 12 3. Binding in all respects on the parties to the contract.

13 (b) An apprentice who has not entered into a contract pursuant to this subsection shall be
14 given an apprentice jockey certificate.

15 (4) If an apprentice jockey is unable to ride for a period of seven (7) consecutive days or
16 more because of service in the armed forces of the United States, physical disablement,
17 attendance in an institution of secondary or higher education, restrictions on racing, or other
18 valid reason, the commission, upon recommendation of the stewards and after consultation
19 with the racing entity which approved the original apprentice contract, may extend the time
20 during which the apprentice weight allowance may be claimed for a period no longer than the
21 period the apprentice rider was unable to ride.

1 (5) After completion of conditions in subsection (1) of this section, the rider shall be issued
2 a license as a jockey before accepting subsequent mounts. Under these circumstances, the
3 commission may waive collection of an additional license fee.

4 Section 5. Rider Contracts. (1) All contracts between an employer owner or trainer and
5 employee rider shall be subject to 810 KAR Chapter 1.

6 (2) All riding contracts for terms longer than thirty (30) days, and any amendments,
7 cancellation, or transfer, shall be in writing with the signatures of the parties notarized, and
8 shall be approved by the stewards and filed with the commission.

9 (3) The stewards shall approve a riding contract and permit parties to participate in racing
10 in this state if the stewards find that:

11 (a) The contract employer is a licensed owner or licensed trainer who owns or trains at
12 least three (3) horses eligible to race when the contract is executed;

13 (b) The contract employer possesses the character, ability, facilities, and financial
14 responsibility conducive to developing a competent race rider; and

15 (c) If it is a contract for an apprentice jockey, the contract provides for fair remuneration,
16 adequate medical care, and an option equally available to both employer and apprentice jockey
17 to cancel the contract after two (2) years from the date of execution.

18 Section 6. Restrictions as to Contract Riders. A rider shall not:

19 (1) Ride any horse not owned or trained by his contract employer in a race against a horse
20 owned or trained by his contract employer;

21 (2) Ride or agree to ride any horse in a race without consent of his contract employer;

22 (3) Share any money earned from riding with his contract employer; and

(4) Accept any present, money, or reward of any kind in connection with his riding of any race except through his contract employer.

Section 7. Calls and Engagements. (1) Any rider not prohibited by prior contract may agree to give first or second call on his race-riding services to any licensed owner or trainer.

(2) These agreements, if for terms of more than thirty (30) days, shall be in writing, approved by the stewards, and filed with the commission.

(3) Any rider employed by a racing stable on a regular salaried basis shall not ride against the stable which employs him.

(4) An owner or trainer shall not employ or engage a rider to prevent him from riding another horse.

Section 8. Jockey Fee. (1) The fee to a jockey, in the absence of special agreement to the contrary, shall be as follows:

(a)

| <u>Purse</u> | <u>Winning Mount</u> | <u>Second Place Mount</u> | <u>Third Place Mount</u> | <u>Fourth Place Mount</u> | <u>Losing Mount</u> |
|--------------------------|-------------------------|--|---|---------------------------------|---------------------|
| <u>Up to \$9,999</u> | <u>10% of Win Purse</u> | <u>5% of Place Purse OR \$75, whichever is greater</u> | <u>\$70</u> | <u>\$65</u> | <u>\$60</u> |
| <u>\$10,000-\$14,999</u> | <u>10% of Win Purse</u> | <u>5% of Place Purse</u> | <u>\$75</u> | <u>\$70</u> | <u>\$65</u> |
| <u>\$15,000-\$24,999</u> | <u>10% of Win Purse</u> | <u>5% of Place Purse</u> | <u>5% of Show Purse OR \$80, whichever is greater</u> | <u>\$75</u> | <u>\$70</u> |
| <u>\$25,000-49,999</u> | <u>10% of Win Purse</u> | <u>5% of Place Purse</u> | <u>5% of Show Purse</u> | <u>\$85</u> | <u>\$80</u> |
| <u>\$50,000-\$99,000</u> | <u>10% of Win Purse</u> | <u>5% of Place Purse</u> | <u>5% of Show Purse</u> | <u>\$90</u> | <u>\$85</u> |
| <u>\$100,000 and up</u> | <u>10% of Win Purse</u> | <u>5% of Place Purse</u> | <u>5% of Show Purse</u> | <u>5% of Fourth Place Purse</u> | <u>\$110</u> |

1 (b) The flat fee amounts as set out in paragraph (a) of this subsection are not percentage
2 driven. ~~[Purse up to \$9,999: winning mount, ten (10) percent of win purse; second place mount,~~
3 ~~\$70 or five (5) percent of place purse, whichever is greater; third place mount, \$60; fourth place~~
4 ~~mount, \$55; losing mount, \$50;~~

5 ~~(b) Purse, \$10,000 to \$14,999: winning mount, ten (10) percent of win purse; second~~
6 ~~place mount, five (5) percent of place purse; third place mount, \$65 or five (5) percent of show~~
7 ~~purse, whichever is greater; fourth place mount \$60; losing mount, \$55;~~

8 ~~(c) Purse, \$15,000 to \$24,999: winning mount, ten (10) percent of win purse; second place~~
9 ~~mount, five (5) percent of place purse; third place mount, five (5) percent of show purse; fourth~~
10 ~~place mount, \$65; losing mount, \$60;~~

11 ~~(d) Purse, \$25,000 to \$49,999: winning mount, ten (10) percent of win purse; second~~
12 ~~place mount, five (5) percent of place purse; third place mount, five (5) percent of show purse;~~
13 ~~fourth place mount, \$75; losing mount, \$70;~~

14 ~~(e) Purse, \$50,000 to \$99,999: winning mount, ten (10) percent of win purse; second place~~
15 ~~mount, five (5) percent of place purse; third place mount, five (5) percent of show purse; fourth~~
16 ~~place mount, \$90; losing mount, \$85; and~~

17 ~~(f) Purse, \$100,000 and up: winning mount, ten (10) percent of win purse; second place~~
18 ~~mount, five (5) percent of place purse; third place mount, five (5) percent of show purse; fourth~~
19 ~~place mount, five (5) percent of fourth place purse; losing mount, \$110.]~~

20 (2) A jockey fee shall be considered earned by a rider if he is weighed out by the clerk of
21 scales, with the following exceptions:

1 (a) If a rider does not weigh out and ride in a race for which he has been engaged because
2 an owner or trainer engaged more than one (1) rider for the same race, the owner or trainer
3 shall pay an appropriate fee to each rider engaged for the race;

4 (b) If a rider capable of riding elects to take himself off the mount without, in the opinion
5 of the stewards, reasonable cause; or

6 (c) If a rider is replaced by the stewards with a substitute rider for a reason other than a
7 physical injury suffered by the rider during the time between weighing out and start of the race.

8 Section 9. Revised Order of Finish After Race is Declared Official. If a winning purse is
9 forfeited through subsequent ruling of the stewards or the commission, after the result has
10 originally been made official, the winning fee shall be paid to the jockey whose mount is
11 ultimately adjudged the winner, and the original winner shall be credited only with a losing
12 mount.

13 Section 10. Duty to Fulfill Engagements. Every rider shall fulfill his duly scheduled riding
14 engagements, unless excused by the stewards due to circumstances under which a jockey could
15 not reasonably be expected to be physically present at the required time. A rider shall not be
16 required to ride a horse he believes to be unsound, nor over a racing strip he believes to be
17 unsafe, except if the stewards find a rider's refusal to fulfill a riding engagement is based on a
18 personal belief unwarranted by the facts and circumstances, the rider may be subject to
19 disciplinary action.

20 Section 11. Presence in Jockey Room. (1) Each rider who has been engaged to ride in a
21 race shall be physically present in the jockey room no later than one (1) hour prior to post time
22 for the first race on the day he is scheduled to ride, unless excused by the stewards or the clerk

1 of scales due to circumstances under which a jockey could not reasonably be expected to ride;
2 and upon arrival shall report to the clerk of scales his engagements. If a rider fails for any
3 reason to arrive in the jockey room no later than one (1) hour before post time of a race in
4 which he is scheduled to ride, the clerk of scales shall so advise the stewards who may name a
5 substitute rider and shall cause a public announcement to be made of the rider substitution
6 prior to opening of wagering on the race.

7 (2) Each rider reporting to the jockey room shall remain in the jockey room until he has
8 fulfilled all his riding engagements for the day, except to ride in a race, or except to view the
9 running of a race from a location approved by the stewards. While a rider is outside of the
10 jockey room, a rider shall not have contact or communication with any person other than an
11 owner or trainer for whom he is riding, a racing official, or a representative of the regular news
12 media, until the rider has fulfilled all his riding engagements for the day.

13 (3) The association shall be responsible for security of the jockey room to conduct specific
14 business previously approved by the stewards so as to exclude all persons except riders
15 scheduled to ride on the day's program, valets, authorized attendants, racing officials, duly
16 accredited members of the news media, and persons having special permission of the stewards
17 to enter the jockey room.

18 (4) Any rider intending to discontinue riding at a race meeting prior to its conclusion shall
19 notify the stewards of his intent to depart after fulfilling his final riding engagement of the day.

20 Section 12. Weighing Out. (1) Each rider engaged to ride in a race shall report to the clerk
21 of scales for weighing out not more than one (1) hour and not less than fifteen (15) minutes

1 before post time for each race in which he is engaged to ride, and when weighing out, the rider
2 shall declare overweight, if any.

3 (2)(a) A rider shall not pass the scale with more than one (1) pound overweight, without
4 consent of the owner or trainer of the horse he is engaged to ride; and

5 (b) A rider shall not pass the scale with more than five (5) pounds overweight.

6 (3) A horse shall not be disqualified because of overweight carried.

7 (4) Riding crops, blinkers, number cloths, bridles, bits, reins, over-girth, breast collar,
8 goggles, safety helmets, and safety vests shall not be included in a rider's weight.

9 Section 13. Wagering. A rider shall not place a wager, cause a wager to be placed on his
10 behalf, or accept any ticket or winnings from a wager on any race except on his own mount,
11 and except through the owner or trainer of the horse he is riding. The owner or trainer placing
12 wagers for his rider shall maintain a precise and complete record of all of these wagers, and the
13 record shall be available for examination by the stewards at all times.

14 Section 14. Attire. (1) Upon leaving the jockey room to ride in any race, each rider shall be
15 neat and clean in appearance and wear the traditional jockey costume with all jacket buttons
16 and catches fastened.

17 (2) Each jockey shall wear:

18 (a) The cap and jacket racing colors registered in the name of the owner of the horse he is
19 to ride;

20 (b) Stock tie;

21 (c) White or light breeches;

22 (d) Top boots;

(e) A safety vest and safety helmet that meet the standards set forth in subsections (4) and (5) of this section; and

(f) A number on his right shoulder corresponding to his mount's number as shown on the saddle cloth and daily racing program.

(3) The clerk of scales and attending valet shall be held jointly responsible with a rider for his neat and clean appearance and proper attire.

(4) A jockey mounted on a horse or stable pony at a location under the jurisdiction of the commission shall wear a properly secured safety helmet at all times. If requested by a commission official, the jockey shall provide sufficient evidence that his helmet has a tag, stamp, or similar identifying marker indicating that it meets one of the following safety standards:

(a) ASTM International Standard, ASTM F1163-04a;

(b) British Standards, BS EN 1384:1997 or PAS 015:1999; or

(c) Australian/New Zealand Standard, AS/NZS 3838:2006.

(5) A jockey mounted on a horse or stable pony at any location under the jurisdiction of the commission shall wear a safety vest at all times. If requested by a commission official, the jockey shall provide sufficient evidence that his safety vest has a tag, stamp, or similar identifying marker indicating that it meets or exceeds one (1) of the following safety standards:

(a) British Equestrian Trade Association (BETA):2000 Level 1;

(b) Euro Norm (EN) 13158:2000 Level 1;

(c) ASTM International Standard, ASTM F2681-08;

1 (d) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6 Issue 3;

2 or

3 (e) Australian Racing Board (ARB) Standard 1.1998.

4 Section 15. Advertising. (1) A jockey shall not wear advertising or promotional material of
5 any kind (whether for a nonprofit or for-profit entity) on clothing within one (1) hour before or
6 after a race, unless:

7 (a)1. The material advertises or promotes the Jockey's Guild in the form of the picture of a
8 jockey's boot or the picture of a wheelchair, with no additional picture or logo;

9 2. The material advertises or promotes the Permanently Disabled Jockey's Fund in the
10 form of the pictures of its logo, with no additional picture or logo; or

11 3. The picture or logo has previously been approved by the current owner, association,
12 and the stewards under the process set forth in this administrative regulation, and this approval
13 is reflected in the commission's official records;

14 (b) The material complies with the size restrictions of subsection (2)(b) of this section;

15 (c) The material meets the advertising standards listed in subsection (2) of this section;

16 (d) Written approval by the following is submitted to the commission:

17 1. The managing owner of the horse, or authorized agent of the managing owner who acts
18 with actual authority and has been specifically authorized in writing to sign the written approval
19 on behalf of the managing owner. Written authorization shall be evidenced by completion and
20 return to the commission of the "Authorized Agent License Application" form. If the owner is a
21 business entity, in lieu of filing the "Authorized Agent License Application" form, the owner may

1 file duly adopted resolutions of the business entity authorizing the agent to act on its behalf
2 and remit the twenty-five (25) dollar license application fee;

3 2. The jockey riding the horse or the authorized agent of the jockey who acts with actual
4 authority and has been specifically authorized in writing to sign the written approval on behalf
5 of the jockey. Written authorization shall be evidenced by completion and return to the
6 commission of the "Authorized Agent License Application" form;

7 3. The licensed racing association, which shall grant approval if it reasonably determines
8 the material meets the standards in subsection (2)(a) of this section; and

9 4. The stewards, who shall grant approval if they reasonably determine the material
10 meets the standards in subsections (2)(b) and (3) of this section; and

11 (e) Written approval required pursuant to subsection (1)(d) of this section is evidenced by
12 completion and return to the commission of the "Request to Wear Advertising and Promotional
13 Materials" form. The form shall be completed and submitted to the stewards not later than 5
14 p.m. two (2) days prior to the day of the race in which the advertising and promotional
15 materials will be worn. Other forms of approval shall not be accepted by the commission.

16 (2) Advertising or promotional material displayed on jockey clothing shall:

17 (a) Not compete with, conflict with, or infringe upon sponsorship agreements applicable
18 to the racing association race or to the race meet in progress; and

19 (b) Comply with the following size restrictions:

20 1. A maximum of thirty-two (32) square inches on each thigh of the pants on the outer
21 side between the hip and knee and ten (10) square inches on the rear of the pant at the
22 waistline at the base of the spine;

2. A maximum of twenty-four (24) square inches on boots and leggings on the outside of each nearest the top of the boot; and

3. A maximum of six (6) square inches on the front center of the neck area (on a turtleneck or other undergarment).

(3) A sponsorship shall not be permitted by a person or entity whose message, business reputation, or ongoing business activity may be considered as obscene or indecent to a reasonable person.

(4)(a) The party presenting the advertising or promotional opportunity to the owner and jockey (including without limitation, the owner and jockey) shall disclose in writing all material terms, including financial, regarding the advertising or promotional opportunity to the owner and the jockey;

(b) The division of proceeds from any advertising or promotional material placed in accordance with this administrative regulation shall be subject to agreement between the owner and the jockey;

(c) The agreement between the owner and jockey shall be made in writing on the "Owner/Jockey Advertising and Promotional Materials Agreement" not later than 5 p.m. two (2) days prior to the day of the race in which the advertising and promotional materials will be worn;

(d) Other forms of agreement or contract shall not be used; and

(e) Any party who fails to comply with this or any other provision provided in this administrative regulation may be subject to penalties by the commission in accordance with KRS Chapter 230 and 810 KAR Chapter 1.

1 (5) As a condition for approval of advertising or promotional material, either the owners,
2 the stewards, or the licensed racing association may require a personal viewing of the proposed
3 material as it is to be displayed, to determine that the requirements of this section are met.

4 (6) The sponsor of a licensed racing association race or race meeting may display
5 advertising or promotional material on an association saddlecloth if it does not interfere with
6 the clear visibility of the number of the horse.

7 (7) Advertising content other than that approved in this administrative regulation shall not
8 be permitted.

9 (8) This administrative regulation shall not infringe upon or limit the common law rights of
10 a racing association to eject or exclude persons, licensed or unlicensed, from association
11 grounds, or to apply the association's internal rules regarding other forms of advertising not
12 addressed in this or any other applicable statute or administrative regulation, if the internal
13 rules have been previously filed with and approved by the commission or its authorized
14 representative.

15 Section 16. Viewing Films or Tapes of Races. (1) Every rider shall check the film list posted
16 by the stewards in the jockey room the day after riding in a race.

17 (2) The posting of the film list shall be considered as notice to all riders whose names are
18 listed to present themselves when designated by the stewards to view the patrol films or video
19 tapes of races.

20 (3) Any rider may be accompanied by a representative of the jockey organization of which
21 he is a member in viewing the films, or with the stewards' permission, be represented at the
22 viewing by his designated representative.

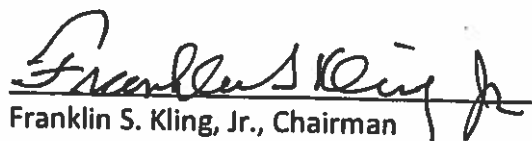
Section 17. Material Incorporated by Reference. (1) The following material is incorporated by reference:

- (a) "Request to Wear Advertising and Promotional Material", KHRC 009-01, 10/10;
- (b) "Authorized Agent License Application", KHRC 009-02, 5/10; and
- (c) "Owner/Jockey Advertising and Promotional Materials Agreement", KHRC 009-03, 5/10.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Horse Racing Commission, 4063 Iron Works Parkway, Building B, Lexington, Kentucky, Monday through Friday, 8 a.m. to 4:30 p.m.

(3) This material may also be obtained from the Kentucky Horse Racing Commission Web site at <http://www.khrc.ky.gov>.

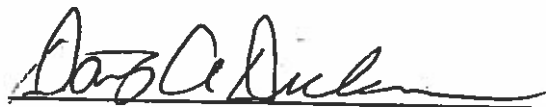
READ AND APPROVED:



Franklin S. Kling, Jr., Chairman
Kentucky Horse Racing Commission

6-10-2016

Date



David A. Dickerson, Secretary
Public Protection Cabinet

6-14-16

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on July 26, 2016 at 11:00 a.m., at the office of the Kentucky Horse Racing Commission, 4063 Iron Works Parkway, Building B, Lexington, Kentucky 405011. Individuals interested in being heard at this hearing shall notify the Kentucky Horse Racing Commission in writing by July 19, 2016, five working days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be cancelled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until close of business on August 1, 2016. Please send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

CONTACT PERSON: John L. Forgy
General Counsel
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Phone: (859) 246-2040
Facsimile: (859) 246-2039

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: John L. Forgy, General Counsel, Kentucky Horse Racing Commission
Phone (859) 246-2040

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation sets forth restrictions and requirements regarding the participation of jockeys in horse racing. The amendments increase minimum jockey mount fees based upon an agreement reached between the Jockeys' Guild, the Kentucky Horsemen's Benevolent and Protective Association, and the Kentucky Thoroughbred Association—Kentucky Thoroughbred Owners and Breeders.

(b) The necessity of this administrative regulation: Kentucky currently has among the lowest mount fees in the nation, and the fees have not been increased since 2011. Representatives from the relevant stakeholder organizations met and negotiated the increases.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 230.215 grants the Kentucky Horse Racing Commission the authority to promulgate regulations governing the conduct of horse racing in Kentucky. KRS 230.260 specifically grants the Kentucky Horse Racing Commission the authority to establish minimum fees for jockeys.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation sets forth restrictions and requirements regarding the participation of jockeys in horse racing.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendments will change this existing administrative regulation: The amendments increase jockey mount fees based upon an agreement reached between the Jockeys' Guild, the Kentucky Horsemen's Benevolent and Protective Association, and the Kentucky Thoroughbred Association—Kentucky Thoroughbred Owners and Breeders.

(b) The necessity of the amendment to this administrative regulation: Kentucky currently has among the lowest mount fees in the nation, and the fees have not been increased since 2011. Representatives from the relevant stakeholder organizations met and negotiated the increases.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 230.215 grants the Kentucky Horse Racing Commission the authority to promulgate regulations governing the conduct of horse racing in Kentucky. KRS 230.260 specifically grants the Kentucky Horse Racing Commission the authority to establish minimum fees for jockeys.

(d) How the amendment will assist in the effective administration of the statutes: The amendments provide increased mount fees for jockeys.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: All licensed jockeys and owners will be affected by this administrative regulation. In 2015, the KHRC licensed over 200 jockeys and over 6500 owners.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Owners will be required to pay the increased jockey mount fees.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): No costs will be imposed on the commission to comply with this amendment. Owners will be required to pay the increased jockey mount fees.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Jockeys will benefit from the increased mount fees. The increased mount fees will benefit owners and Kentucky by helping attract and keep qualified, competitive jockeys in the state.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: No costs associated with the amendments.

(b) On a continuing basis: No costs associated with the amendments.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: No costs associated with the amendments.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No additional fees or funding will be necessary to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This amendment increases jockey mount fees based upon an

agreement reached between the Jockeys' Guild, the Kentucky Horsemen's Benevolent and Protective Association, and the Kentucky Thoroughbred Association—Kentucky Thoroughbred Owners and Breeders.

(9) TIERING: Is tiering applied? (Explain why or why not) Tiering is not applied. All aspects of this regulation will be applied equally to the affected parties.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation No. 810 KAR 1:009

Contact Person: John L. Forgy
(859) 246-2040

1. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Kentucky Horse Racing Commission.

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 230.215, KRS 230.260.

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. The regulation will not impose additional costs upon any government agency.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This regulation will not result in revenue generation.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This regulation will not result in revenue generation.

(c) How much will it cost to administer this program for the first year? This regulation will not result in revenue generation.

(d) How much will it cost to administer this program for subsequent years? This regulation will not result in revenue generation.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: